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Atty. Dkt. No. 355493-2975

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Richard J. STENTON

Title: IMPROVED DISPOSABLE  
APPLICATOR FOR TOPICAL  
COMPOSITION

Appl. No.: 10/560,647

Filing Date: December 13, 2005

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**CERTIFICATE OF MAILING**

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Lisa Kaiser

(Printed Name)

Lisa Kaiser

(Signature)

8/29/06

(Date of Deposit)

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents for the above-identified application:

- [ X ] Information Disclosure Statement (3 pgs.);
- [ X ] PTO/SB/08 (2 pgs.);
- [ X ] Two References;
- [ X ] Copy of an International Search Report (3 pages); and
- [ X ] Return Postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date August 29, 2006

By Traci H. Ropp

FOLEY & LARDNER LLP  
Customer Number: 38706  
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Traci H. Ropp  
Attorney for Applicant  
Registration No. 44,307



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(Printed Name)

*Lisa Kaiser*

(Signature)

8/29/06

(Date of Deposit)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing of a first Office action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All the cited documents are in English except for International application WO 00/71198, which was first cited in an International Search Report. A copy of the International Search Report is attached setting forth the portion of the document considered relevant by the examiner. An English-language counterpart of the foreign-language document WO 00/71198 has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609). Additionally, US Patent 6,595,969, also cited in the attached PTO/SB/08, corresponds to WO 00/71198.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Applicant also brings to the Office's attention the following application that is a parent of the present application: U.S. Patent Application Serial No.: 10/460,682, filed June 13, 2004, now abandoned.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

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Traci H. Ropp  
Attorney for Applicant  
Registration No. 44,307

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: August 25, 2006

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/560,647
Filing Date	December 13, 2005
First Named Inventor	Richard J. STENTON
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	355493-2975

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
/M.H./	A1	1,166,761		Higgins	01-04-1916	
	A2	2,333,070		Hoey, et al.	06-12-1940	
	A3	2,784,127		Joyner, et al.	03-05-1957	
	A4	3,271,810		Raffe	07-06-1964	
	A5	3,527,224		Rabinowitz	09-05-1967	
	A6	3,591,676		Hawkins, et al.	07-06-1971	
	A7	3,667,472		Halpern	06-06-1972	
	A8	3,774,609		Schwartzman,	11-27-1973	
	A9	3,847,151		D'Alessandro, et al.	11-12-1974	
	A10	3,995,641		Kronenthal, et al.	12-07-1976	
	A11	4,035,334		Davydov, et al.	07-12-1977	
	A12	4,218,155		Weidner	08-19-1980	
	A13	4,430,013		Kaufman,	02-07-1984	
	A14	4,444,933		Columbus, et al.	04-24-1984	
	A15	4,650,826		Waniczek, et al.	03-17-1987	
	A16	5,006,004		Dirksing, et al.	04-09-1991	
	A17	5,480,935		Greff, et al.	01-02-1996	
	A18	5,658,084		Wirt,	08-19-1997	
	A19	5,791,801		Miller	08-11-1998	
	A20	5,962,010		Greff, et al.	10-05-1999	
	A21	5,998,472		Berger, et al.	12-07-1999	
	A22	6,475,502		Lee, et al.	11-05-2002	
	A23	6,595,969		Emerit, et al.	07-22-2003	

Examiner  
Signature

/Melanie Hand/

Date  
Considered

09/29/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: August 25, 2006  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/560,647
				Filing Date	December 13, 2005
				First Named Inventor	Richard J. STENTON
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	355493-2975

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
/M.H./	B1	WO	00/71198		Aspir (English Abstract)	11-30-2000		
/M.H./	B2	GB	2185880		Chesebrough-Pond's Inc.	08-05-1987		

Examiner Signature	/Melanie Hand/	Date Considered	09/29/2008
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